



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



Harold MacGregor
PO Box 812
Enfield, NH 03748

LETTER OF DEFICIENCY
#SP-2001-34
January 16, 2001

Dear Mr. MacGregor:

On November 2, 2001, personnel from the Department of Environmental Services, Water Division ("DES") conducted a site inspection of your property identified as Canaan Tax Map 1G Lot# 23 & 25, Goose Pond Road, Canaan, New Hampshire. The purpose of this site inspection was to determine compliance with RSA 483-B; the Comprehensive Shoreland Protection Act ("CSPA"). During the inspection the following deficiencies were noted:

1. An accessory structure has been constructed/placed within 20 feet of the Goose Pond reference line (mean high water).

In accordance with Env-Ws 1405, small accessory structures which are less than 150 square feet must be set back a minimum of 20 feet from the reference line of waterbodies subject to RSA 483-B. DES personnel observed a screen house measuring approximately 8' X 16' or a total of 128 square feet, located below the Goose Pond reference line. Additionally, the Shoreland Program has been informed by the Water Resource Council Dam Bureau at DES that this structure is also located on state owned property at Goose Pond.

In response, you are requested to take the following actions

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. The restoration plan should include provisions for relocating the screen house to an acceptable location out of jurisdiction of both the Shoreland Program and the Water Resources Council. The following should be included with the restoration plan:

- a. A plan with dimensions drawn to scale, showing:
 - i. existing location of the screen house relative to the reference line of Goose Pond, and
 - ii. proposed location of the screen house relative to the reference line of Goose Pond after relocation
- b. A description of the proposed relocation methods and sequence, and a time frame by which relocation of the screen house can be completed.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

In the event that a compliance report cannot be submitted within this time period, DES may order you to take such remedial measures as may be necessary. Failure to comply with such an Order may result in enforcement action by DES under RSA 483-B:18. In addition, DES personnel may conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with the applicable statute.

Enclosed, for your information, are copies of fact sheets explaining the Comprehensive Shoreland Protection Act, a copy of the Act, Shoreland Code of Administrative Rules Env-Ws 1400, a guide to restoration of shoreland property, and proper installation and maintenance of erosion control measures.

The written report identifying corrective measures to be taken should be addressed as follows:

Allyson Gourley
Shoreland Compliance Coordinator
NHDES
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions please contact Allyson Gourley at (603) 271-6876.

Sincerely,

COPY

Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL

Enclosures

cc: Gretchen C. Rule, Enforcement Coordinator-DES ✓
Russell A. Nylander, P.E., Chief Engineer-WD/DES
Shoreland Program-NHDES
Jody Connor- Director, NHDES Limnology Center
Mark Stevens - NHDES Dam Bureau
Canaan Conservation Commission
Canaan Board of Selectmen
Canaan Building Department